

### **REMARKS**

Claims 1-27 are pending and under consideration in the above-identified application. In the Office Action of November 26, 2007, claims 1-27 were rejected.

With this Amendment, claims 1, 2, 12 and 13 are amended. Accordingly, claims 1-27 are at issue.

#### **I. 35 U.S.C. § 102 and § 103 Anticipation Rejection of Claims**

Claims 1-22, 26 and 27 were rejected under 35 U.S.C. § 102(b) as being anticipated by or under 35 U.S.C. § 103(a) as being unpatentable over *Tamura* (U.S. Publication No. 2002-0168572) (“*Tamura*”). Applicant respectfully traverses this rejection.

In relevant part, each independent claims 1, 2, 12 and 13 recites:

“the active material layer and thin film layer are on either or both sides of the current collector”

This is clearly unlike *Tamura*, which fails to disclose the active material layer and thin film layer on either or both sides of the current collector. Instead, *Tamura* discloses an active material layer formed on the current collector layer and a surface coating layer on the active material layer opposite the surface carrying the current collector layer. See U.S. Pat. Pub. 2002/0168572 Para. [0010]. Further, nowhere does *Tamura* disclose or even fairly suggest the active material layer and thin film layer being on either side or both sides of the current collector.

As a result, *Tamura* teaches a structure different than the structure of the claimed battery. Accordingly, the battery disclosed in *Tamura* is incapable of producing the claimed battery.

Therefore, because *Tamura* fails to disclose, or even fairly suggest, every feature of claims 1, 2, 12 and 13, the rejection is improper.

**II. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 23-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Tamura* (U.S. Publication No. 2002-0168572 as applied to claim 13 and in view of *Morishima* (U.S. Publication No. 2003-0054253). Applicant respectfully traverses this rejection.

Claims 23-25 are patentable because they depend directly or indirectly from patentable claim 13 as set forth above.

### III. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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